



THE CITY OF NEW YORK  
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December 6, 2023


VIA E.C.F.

Honorable Jennifer L. Rochon  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

The request to file unredacted copies of their  
summary-judgment papers under seal is GRANTED.

Dated: December 6, 2023  
New York, New York

SO ORDERED.

  
JENNIFER L. ROCHON  
United States District Judge

Re: Jonathan Banyan v. P.O. Sikorski, et al.,  
17 Civ. 4942 (JLR)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and the attorney representing the City of New York, Ian Rule, Craig Sikorski, Joseph Tennariello, and John Becerra (collectively, “Defendants”) in the above-referenced matter. Defendants respectfully write to (a) note that, pursuant to the Court’s February 3, 2023 Order, the Defendants will be filing certain portions of their summary judgment motion that concern grand jury proceedings with redactions and (b) request that they, therefore, be permitted to file unredacted copies of such papers under seal.

The Plaintiff consents to the redacting of information concerning grand jury proceedings and to the filing of the unredacted documents under seal.

By way of relevant background, the Defendants’ Summary Judgment Motion is due today, December 6, 2023. (See Dkt. No. 271.)

The Defendants’ motion papers (*i.e.*, the 56.1 Statements, the Declaration of Nicolette Pellegrino in Support of the Defendants’ Motion and an exhibit, and the Memorandum of Law) reference grand jury testimony, and one exhibit is a portion of grand jury testimony. Therefore, pursuant to the Court’s February 3, 2023 Order, the Defendants will redact “information from the grand jury proceeding” in their papers. (See Dkt. No. 238) (“Defendants request that certain information in the proposed amended complaint be redacted because they contain sealed grand jury testimony. Opp. at 8. Plaintiff states that he will “accede to the Court’s wishes regarding any redactions” of the grand jury testimony. Reply at 3 n.1. Given this and in light of the fact that

grand jury proceedings are secret under N.Y. C.P.L. § 190.25(4), Plaintiff shall submit all further filings with redactions to information from the grand jury proceeding.”).

Accordingly, the Defendants also respectfully request, with Plaintiff’s consent, that they be permitted to file unredacted copies of their motion papers that either references grand jury testimony or is copies of excerpts of grand jury testimony under seal.

The Defendants thank the Court for its consideration.

Respectfully submitted,

/s/ Nicolette Pellegrino  
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CC: VIA E.C.F.  
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